

DATE

Mr. Marshall A. Hevron  
Adams and Reese, LLP  
One Shell Square  
701 Poydras Street, Ste. 4500  
New Orleans, La. 70139

**Re: Ethics Board Docket No. 2021-106**

Dear Mr. Hevron:

The Louisiana Board of Ethics, at its April 9, 2021 meeting, considered the disqualification plan you submitted on behalf of Jefferson Rise Charter School employees Kathleen Sullivan and Zachary Moss.

**FACTS**

You provided the following information, Ms. Sullivan is the founder and head of school at Jefferson Rise Charter School. Mr. Moss has been employed with the school since July 2019. He currently serves as the Director of Culture and Operations. Mr. Moss and Ms. Sullivan are engaged and plan to marry in June 2021. Because Mr. Moss has been employed with the school for over a year at the time they are married, he is entitled to continue his employment under La. R.S. 42:1119C(2). However, La. R.S. 42:1112B(1) prohibits Ms. Sullivan from participating in any transaction in which her husband has a substantial economic interest.

**LAW**

La. R.S. 42:1112B(1) states that no public servant shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any member of his immediate family has a substantial economic interest.

La. R.S. 42:1112C allows a disqualification plan to be developed in accordance with rules adopted by the Board to remove a public servant from participating in transactions that would otherwise present violations of Section 1112 of the Code.

La. R.S. 42:1119A states that no member of the immediate family of an agency head shall be employed in his agency.

La. R.S. 42:1119C(2) provides that the provisions of this Section shall not prohibit the continued employment of any public employee nor shall it be construed to hinder, alter, or in any way affect normal promotional advancements for such public employee where a member of public employee's immediate family becomes the agency head of such public employee's agency, provided that such public employee has been employed in the agency for a period of at least one year prior to the member of the public employee's immediate family becoming the agency head.

## DISQUALIFICATION PLAN

You submitted the following disqualification plan in compliance with La. R.S 42:1112C for approval. The proposal provides:

- 1) Ms. Sullivan will be disqualified from the following actions with regard to Mr. Moss: adjusting his salary or benefits, disciplining him, reprimanding him, granting time off, promotions, demotions or any other actions, approvals or authorizations concerning Mr. Moss.
- 2) Trent Mackey, the assistant principal, will be responsible for any of the following actions for Mr. Moss: adjusting his salary or benefits, disciplining him, reprimanding him, granting time off, promotions, demotions or any other actions, approvals or authorizations concerning Mr. Moss. Furthermore, Mr. Moss will report to Trent Mackey concerning any issues he may have with his employment at Jefferson Rise.
- 3) Ms. Sullivan will report to the school's Board Chair, Diane Jackson, any issues she may have with Mr. Moss as an employee of Jefferson Rise. Any other issues not resolved by the provisions of 1) or 2) above will be presented to Ms. Jackson.

## CONCLUSION

The Board concluded, and instructed me to inform you, that the disqualification plan you submitted appears to satisfy La. R.S. 42:1112C and the Board rules. Therefore, the Board approves the disqualification plan as all supervisory and disciplinary authority regarding Mr. Moss will be overseen by Trent Mackey and Chairman of the Board, Diane Jackson.

The Board issues no opinion as to laws other than the Code of Governmental Ethics. If I can be of any further assistance, please do not hesitate contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

Suzanne Quinlan Mooney  
For the Board